

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Civil Action No. 3:98CV394-T

ROGER D. SMITH et ux,)	
)	
Plaintiffs,)	Part of "DUKE GROUP"
v.)	("Consolidated for Trial")
)	
AC and S, Inc., et. al.,)	
)	
Defendants.)	

ORDER

THIS MATTER is before the Court upon motion by Plaintiffs, Roger D. Smith and his wife, Margie P. Smith, and Defendant, A.W. Chesterton Company, to dismiss with prejudice all claims against A.W. Chesterton Company in this matter.

It appearing that grounds exist to permit Plaintiffs to voluntarily dismiss this action against A.W. Chesterton Company with prejudice, and that the motion should be granted for good cause shown;

It is therefore ORDERED, ADJUDGED, and DECREED that the action of Plaintiffs, Roger D. Smith and his wife, Margie P. Smith, against Defendant, A.W. Chesterton Company, be dismissed with prejudice.

Signed: May 4, 2006



Lacy H. Thornburg
United States District Judge

